

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 26TH NOVEMBER 2007 / 5TH AGRAHAYANA 1929

WP(C).No. 30908 of 2007(D)

PETITIONER:

- 1. REV.FR.E.P.VARGHESE EDUMARIYIL,
VICAR, ST.PETER'S AND ST.PAUL'S SYRIAN ORTHODOX
CHURCH, KOLANCHERRY, ERNAKULAM DISTRICT.**
- 2. POULOSE.P.KUNNATH, S/O.PATHROSE,
KUNNATH HOUSE, AIKKARANADU SOUTH VILLAGE,
KUNNATHUNADU TALUK.**

**BY ADV. SRI.N.SUKUMARAN
SRI.S.SHYAM
SRI.SAJI VARGHESE KAKKATTUMATTATHIL
SRI.BOBBYMATHEW KOOTHATTUKULAM**

RESPONDENTS:

- 1. STATE OF KERALA, REPRESENTED BY ITS
SECRETARY TO GENERAL EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.**
- 3. DISTRICT EDUCATIONAL OFFICER, ALUVA.**
- 4. REV.FR.JACOB KURIAN, PRIEST,
ST.PETERS' AND ST.PAUL'S ORTHODOX SYRIAN
CHURCH, KOLENCHERRY, ERNAKULAM DISTRICT.**
- 5. BABU PAUL, PERUMPILLIL HOUSE,
ELAMKULAM KARA, AIKKARANADU SOUTH VILLAGE,
KOLENCHERRY PO, ERNAKULAM DISTRICT.**

**BY ADV. SRI.GEORGE POONTHOTTAM
GOVERNMENT PLEADER SMT. M.R. SREELATHA.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 26/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

W.P.(C)NO.30908 OF 2007

APPENDIX

EXT.P1: COPY OF THE ORDER OF R3 DTD 1.8.2007 BEARING NO.B1-2362/2007.

EXT.P2: COPY OF THE APPEAL SUBMITTED BY THE PETITIONERS AGAINST EXT.P1 BEFORE R2 DTD 4.8.2007.

EXT.P3: COPY OF THE NOTICE ISSUED BY R1 BEARING NO.44474/F1/07/G.EDN. DATED 8.8.2007

TRUE COPY

PA TO JUDGE.

S. SIRI JAGAN, J.

W.P.(C)No. 30908 OF 2007

Dated this the 26th day of November, 2007

JUDGMENT

The St. Peter's and St. Paul's Orthodox Syrian Church, Kolencherry are managing four educational institutions. Approved Manager of these educational institutions passed away. Because of faction fight in the Churches, a new Manager could not be approved, since both factions claim to have appointed their own Managers. In the meantime, the application for approval of the 5th respondent as the Manager of the School was rejected by the 3rd respondent – DEO by Ext.P1 order. It appears that the 5th respondent has filed a revision against that order before the 1st respondent. The petitioners also filed an appeal before the DPI, which is pending and could not be disposed of in view of pendency of the revision filed by the 5th respondent before the 1st respondent. By Ext.P3, the Government posted the revision for hearing on 14.8.2007 and a hearing was conducted. However, no orders have been passed so far.

2. It is under the above circumstances, the petitioner has

filed this writ petition seeking a direction to the 1st respondent to pass final orders in the revision referred to in Ext.P3.

3. I have heard the parties. In the facts and circumstances of the case, there would be a direction to the 1st respondent to consider and pass appropriate orders in the revision petition referred to in Ext.P3 as expeditiously as possible, at any rate, within one month from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

Acd

